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FILED WITH THE BOARD OF  
PSYCHOLOGICAL EXAMINERS  
ON February 26, 1996

STATE OF NEW JERSEY  
DEP'T OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
BOARD OF PSYCHOLOGICAL EXAMINERS  
DOCKET NO. BDS 5323-94N

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IN THE MATTER OF THE SUSPENSION : ADMINISTRATIVE ACTION  
OR REVOCATION OF LICENSE OF :  
JOHN M. ROTONDI, Ph.D. : ORDER EXTENDING TIME TO  
LICENSED TO PRACTICE MEDICINE AND : FILE EXCEPTIONS  
SURGERY IN THE STATE OF NEW JERSEY: :  
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This matter was presented to the State Board of Psychological Examiners on application by Complainant Attorney General for an extension of time in which to file Exceptions to the Initial Decision of the Administrative Law Judge in this matter. For good cause shown,

IT IS, ON THIS 26TH DAY OF FEBRUARY 1996

ORDERED:

That Complainant Attorney General shall file Exceptions, if any, no later than the close of business on Friday, March 15, 1996. Respondent shall have until Friday, March 22, 1996 to file any reply, pursuant to N.J.A.C. 1:1-18.4.

This Order is effective upon entry.

STATE BOARD OF PSYCHOLOGICAL EXAMINERS

By: Jeffrey H. Tindall, Ph.D.  
Jeffrey H. Tindall, Ph.D.

Chair



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February 22, 1996

State Board of Psychological Examiners  
P.O. Box 45017  
Newark, NJ 07101

Re: Matter of John Rotondi, Ph.D.  
Docket OAL BDS 05323-94N  
REQUEST FOR EXTENSION OF TIME TO FILE EXCEPTIONS

Honorable Members of the Board:

I have now received the Initial Decision of the Administrative Law Judge in the above matter, which is dated as having been mailed to the parties on Friday, February 16, 1996. Ordinarily, the parties to the case have 13 days from the date the initial decision is mailed to them in which to file Exceptions; N.J.A.C. 1:1-18.4. The period for filing Exceptions, which closes February 29, 1996, has been shortened by 3 days by the fact that the office was closed for the President's Day Holiday on February 19 following the weekend. I did not receive the document until my return from vacation on February 20, 1996 at which time I was confronted with numerous matters requiring urgent attention which had arisen while I was away on vacation.

My initial reading of the ALJ's description of the case leads me to believe that it is highly likely that we will file Exceptions to her recommendations. However, I will not be able to submit Exceptions by the current deadline.

OAL rule N.J.A.C. 1:1-18.8 allows a Board to extend the time limits for filing exceptions and replies for good cause shown. I submit the following to demonstrate good cause.

1. The Exceptions, if filed, are expected to point out important factual errors and omissions in the recitation of the testimony, to note serious misunderstandings of the import of the expert testimony which was presented by both sides, and to provide sufficient basis for the Board to exercise its professional expertise in evaluating the totality of the proofs offered in support of the allegations.

2. The Exceptions cannot be prepared in less than a few weeks, because I am concurrently preparing for a different trial involving numerous witnesses and complex medical issues starting March 11 (OAL

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BDS 09622-94N). Several days of the next two weeks are dedicated to witness interviews for trial preparation.

3. I am concurrently preparing post-hearing briefs for two other lengthy OAL trials which have recently concluded.

4. When I returned from vacation, I was immediately called out of the office to attend extensive settlement discussions in an unrelated case.

5. Another day next week is assigned to conduct an urgent interview relating to another major investigation, in addition a personal medical consultation for anticipated surgery.

6. Time for review and approval of supervisory personnel in this office is required before Exceptions can be filed.

An extension of time in which Complainant Attorney General can submit Exceptions will not prejudice respondent Dr. Rotondi, as there are no temporary or other constraints on his practice. Trial testimony in this case concluded April 26, 1995 and the Administrative Law Judge obtained two extensions before issuing her recommendations. Since Dr. Rotondi is practicing without interruption, and in light of the importance of the professional issues raised in this case (sexual exploitation, financial exploitation, gross incompetence or negligence in failing to diagnose an obvious serious disorder and provide appropriate treatment), the Board should grant an extension until its March 25 meeting in order to fairly review this matter.

A proposed Order is enclosed.

Respectfully submitted,

DEBORAH T. PORITZ  
ATTORNEY GENERAL OF NEW JERSEY

By:   
John D. Gelber  
Deputy Attorney General

Enclosure: Proposed Order of Extension

c: Leon Wilson, Esq., Wilson & Wilson, 11 Commerce St., Suite 2730,  
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